

CONDITIONS OF APPROVAL - RECOMMENDED
TENTATIVE PARCEL MAP 30147
WASHINGTON PLAZA ASSOCIATES
JUNE 13, 2001

EXHIBIT "A"

FINDINGS

1. California Environmental Quality Act. The La Quinta Community Development Department has determined that this subdivision is exempt from environmental assessment pursuant to the criteria as listed in Section 15315 of the Guidelines to the California Environmental Quality Act.
2. General Plan Consistency. As conditioned, the proposed tentative parcel map conforms to the design guidelines and standards of the General Plan for Mixed/Regional Commercial designated properties, as set forth in the Land Use Element. The proposed parcel map division is consistent with Specific Plan 89-014 in that the parcels to be created will implement the type and density of development set forth in the approved specific plan of land use.
3. Public Easements - As conditioned, the design of the proposed subdivision and future improvements will not conflict with easements acquired by the public at large, for access through, or use of, property within the proposed parcel map since legal access is provided from Washington Street, Highway 111, Adams Street and adjacent parcels within the overall Specific Plan. Utility and access easements have been provided for or required in the subdivision design.
4. Design of the Subdivision - As conditioned, the design of the subdivision complies with the requirements of the Regional Commercial Zoning District.
5. Suitability of the Site - As conditioned, the proposed design of the subdivision is physically compatible with the site with regards to level topography for the type of land use designation and potential development of the subject property, and in consideration of existing commercial development in the surrounding area.
6. Public Health - As conditioned, the proposed subdivision will not result in any increased hazard to public health or welfare, as the design has been reviewed by the appropriate responsible agencies for health and safety issues, with none identified.

GENERAL CONDITIONS OF APPROVAL

1. The developer/property owner agrees to indemnify, defend and hold harmless the City of La Quinta in the event of any legal claim or litigation arising out of the City's approval of this project, including but not limited to indemnifying and holding harmless the City from any challenge regarding Tentative Parcel Map 30147 and any other challenge pertaining to this project. This indemnification shall include any award toward attorney's fees. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.

The City shall promptly notify the subdivider of any claim, action or proceeding and shall cooperate fully in the defense.

2. This Tentative Parcel Map and any final maps thereunder shall comply with the requirements and standards of §§66410 through 66499.58 of the California Government Code (the Subdivision Map Act) and Chapter 13 of the La Quinta Municipal Code (LQMC).
3. Tentative Parcel Map 30147 shall comply with the requirements and standards of §§ 66410 - 66499.58 of the California Government Code (the Subdivision Map Act) and Title 13 of the La Quinta Municipal Code (LQMC) unless otherwise modified by the following conditions. This map shall expire two years after approval unless extended pursuant to Section 13.12.150 of the Subdivision Ordinance.
4. Prior to the issuance of any grading, construction or building permit, the applicant shall obtain permits and/or clearances from the following public agencies:
 - Riverside County Fire Marshal
 - La Quinta Public Works Department (Grading/Improvement/Encroachment Permits)
 - La Quinta Community Development Department
 - Riverside County Environmental Health Department
 - Desert Sands Unified School District
 - Coachella Valley Water District (CVWD)
 - Imperial Irrigation District (IID)
 - California Water Quality Control Board (CWQCB)

The applicant is responsible for any requirements of the permits or clearances from these agencies. If the requirements include approval of improvement

plans, applicant shall furnish proof of said approvals prior to obtaining City approval of the plans.

5. The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit. Projects disturbing 5 or more acres, or smaller projects which are part of a larger project disturbing 5 or more acres require a project-specific NPDES permit. The applicant shall submit a copy of the CWQCB acknowledgment of the applicant's Notice of Intent (NOI) prior to issuance of a grading or site construction permit. The applicant shall ensure that the required Storm Water Pollution Protection Plan (SWPPP) is available for inspection at the project site.

PROPERTY RIGHTS

6. Prior to approval of a final map, the applicant shall acquire or confer easements and other property rights required of the tentative map or otherwise necessary for construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction, and reconstruction of essential improvements.
7. Prior to approval of a final map, the applicant shall provide documentation to assure that the parking lot areas have been or will be included within the previously recorded "Common Area Maintenance Agreement".
8. Prior to approval of a final map, the applicant shall provide documentation to assure that rights of reciprocal access and use for the parking lot areas, driveways and access lanes by both the proposed and existing parcels are secured.
9. The applicant shall dedicate or grant public and private utility easements, in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as may be required by the City Engineer.
10. The applicant shall dedicate easements necessary for placement of and access to utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas.
11. The applicant shall furnish proof of easements or written permission, as appropriate, from owners of any abutting properties on which grading, retaining wall construction, permanent slopes or other encroachments are to occur.

12. If the applicant proposes vacation or abandonment of any existing rights of way or access easements which will diminish access rights to any properties owned by others, the applicant shall provide approved alternate rights of way or access easements to those properties or notarized letters of consent from the property owners.
13. The applicant shall cause no easements to be granted or recorded over any portion of this property between the date of approval of this tentative map by the City Council and the date of recording of any final map(s) covering the same portion of the property unless such easements are approved by the City Engineer.

FINAL AND PARCEL MAP(S)

14. Prior to approval of a final map, the applicant shall furnish accurate AutoCad files of the complete map, as approved by the City's map checker, on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program.

If the map was not produced in AutoCad or a file format which can be converted to AutoCad, the City Engineer may accept raster-image files of the map.

IMPROVEMENT PLANS

As used throughout these conditions of approval, professional titles such as "engineer," "surveyor," and "architect" refer to persons currently certified or licensed to practice their respective professions in the State of California.

15. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and landscape architects, as appropriate. Plans shall be submitted on 24" x 36" media in the categories of "Rough Grading," "Precise Grading," "Streets & Drainage," and "Landscaping." Precise grading plans shall have signature blocks for Community Development Director and the Building Official. All other plans shall have signature blocks for the City Engineer. Plans are not approved for construction until they are signed.

"Streets and Drainage" plans shall normally include signals, sidewalks, bike paths, entry drives, gates, and parking lots. "Landscaping" plans shall normally include irrigation improvements, landscape lighting and entry monuments. "Precise Grading" plans shall normally include perimeter walls.

Plans for improvements not listed above shall be in formats approved by the City Engineer.

16. The City may maintain standard plans, details and/or construction notes for elements of construction. For a fee established by City resolution, the applicant may acquire standard plan and/or detail sheets from the City.
17. When final plans are approved by the City, the applicant shall furnish accurate AutoCad files of the complete, approved plans on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions.

If the plans were not produced in AutoCad or a file format which can be converted to AutoCad, the City Engineer may accept raster-image files of the plans.

GRADING

18. This development shall comply with Chapter 8.11 of the LQMC (Flood Hazard Regulations). If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps, the development shall be graded to insure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 65.5(a)(6). Prior to issuance of building permits for lots which are so located, the applicant shall furnish certifications as required by FEMA that the above conditions have been met.
19. Prior to issuance of a grading permit, the applicant shall furnish a preliminary geotechnical ("soils") report and an approved grading plan prepared by a qualified engineer. The grading plan shall conform with the recommendations of the soils report and be certified as adequate by a soils engineer or engineering geologist.

A statement shall appear on final maps (if any are required of this development) that a soils report has been prepared pursuant to Section 17953 of the Health and Safety Code.

20. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way unless otherwise approved by the City Engineer.
21. Prior to occupation of the project site for construction purposes, the applicant shall submit and receive approval of a Fugitive Dust Control Plan (FDCP) prepared in accordance with Chapter 6.16, LQMC. The applicant shall furnish security, in a form acceptable to the city, in an amount sufficient to guarantee compliance with the provisions of the permit.
22. The applicant shall maintain graded, undeveloped land to prevent wind and water erosion of soils. The land shall be planted with interim landscaping or provided with other erosion control measures approved by the Community Development and Public Works Departments.
23. Prior to issuance of building permits, the applicant shall provide building pad certifications stamped and signed by qualified engineers or surveyors. For each pad, the certification shall list the approved elevation, the actual elevation, the difference between the two, if any, and pad compaction. The data shall be organized by lot number and listed cumulatively if submitted at different times.

UTILITIES

24. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within the right of way and all above-ground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
25. Existing aerial lines within or adjacent to the proposed development and all proposed utilities shall be installed underground. Power lines exceeding 92 KV are exempt from this requirement.
26. Utilities shall be installed prior to overlying hardscape. For installation of utilities in existing, improved streets, the applicant shall comply with trench restoration requirements maintained or required by the City Engineer. The applicant shall provide certified reports of trench compaction for approval of the City Engineer.

QUALITY ASSURANCE

27. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.

28. The applicant shall employ or retain qualified civil engineers, geotechnical engineers, surveyors, or other appropriate professionals to provide sufficient construction supervision to be able to furnish and sign accurate record drawings.
29. The applicant shall arrange and bear the cost of measurement, sampling and testing procedures not included in the City's inspection program but required by the City as evidence that construction materials and methods comply with plans, specifications and applicable regulations.
30. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all improvement plans which were signed by the City. Each sheet shall be clearly marked "Record Drawings," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the CAD or raster-image files previously submitted to the City to reflect as-constructed conditions.

FIRE MARSHAL

31. The applicant/developer shall comply with any applicable requirements of the Fire Department. The Fire Marshal shall determine requirements for basic fire protection when development plans for the subject parcels are submitted.

MAINTENANCE

32. The applicant shall make provisions for continuous, perpetual maintenance of all on-site improvements, perimeter landscaping, access drives, and sidewalks. The applicant shall maintain required public improvements until expressly released from this responsibility by the appropriate public agency.

FEES AND DEPOSITS

33. The applicant shall pay the City's established fees for plan checking and construction inspection. Fee amounts shall be those in effect when the applicant makes application for plan checking and permits.